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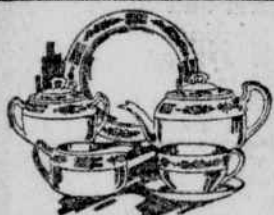
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TOM O'NEIL DENIES DIVIDING BUS PROFITS

Shearn Shows Withdrawal of \$4,815 in Two Months From Bank.

ITEM WAS 'PERSONAL'

Transit Board to Continue Tracing Tammany Man's Checks.

\$45,000 LOST ON ROUTE

Witness Says Whalen Revoked Permit as 'Organization' Wanted It.

The bank book and checking accounts of Under Sheriff "Tom" O'Neil in the Bronx Borough Bank were the objects of continued scrutiny by Clarence J. Shearn when the Transit Commission yesterday resumed its investigation of the West Farms Bus Corporation.

O'Neil on Wednesday had admitted his one-third interest in the profits of that corporation and it had been shown that the revenues accruing to him and to the estate of the late Bronx Tammany leader, Arthur H. Murphy, for the first six months of the bus concern's operation had amounted to more than \$6,000 apiece. O'Neil's salary as under sheriff is \$5,000 a year, and he had testified that other than his salary and his bus revenues, he had no business or additional sources of income.

His pass book showed bank credits to his account since last April in lump sums of \$1,000 and \$500, aggregating more than \$2,500. These deposits, he testified, were not either salary or bus profits, but he professed to be unable to remember their source. The only check book The Bronx undersheriff produced was a new one, opened November 1 last. Mr. Shearn was anxious to inspect his earlier check book covering the period of the bus line's operation, between April and November. O'Neil had explained that his custom was to throw away his old check books and his canceled checks as fast as they had become useless, but he had agreed to look around and see if he could find the new check book's immediate predecessor.

Drew \$4,815 in Two Months.

Examination of the bank deposit book showed it had not been balanced since October 2. O'Neil said he had not received from the bank any canceled checks since that date and, consequently, could not have destroyed them. The examiner thereupon dispatched a messenger to the bank with a subpoena, calling for the production of any canceled checks drawn by O'Neil and still in the bank's possession. It was by a similar expedient in the case of Ferdinand W. Frankenberg that Mr. Shearn had disclosed the two telltale checks bearing the endorsements of O'Neil and the Arthur H. Murphy estate.

"Well, it appears from your bank book here," went on the examiner, "that between August 16, 1922, and October 23, 1922, you drew checks on this account for \$4,815.42."

"That is money I have used for my own purposes and nobody else's."

"But that is at the rate of about \$2,400 a month, or nearly \$30,000 a year. You do not live at the rate of \$30,000 a year, do you?"

"No; I haven't had anything like that at any time."

"How would you explain drawing out \$2,400 a month from this account if you do not live at the rate of \$30,000 a year?"

"Well, there are reasons. I have spent a lot of money for different things. I do not live as high as that."

"Nothing like that?"

"I live fairly well. I don't deprive my family of anything. If you are trying to find out if I paid any money to anybody out of this business I want to say to you, now I am under oath, that I have not paid a nickel to anybody."

The grizzled Under Sheriff began to show some heat under Mr. Shearn's persistent grilling.

"But what do you do with all this money?" demanded the examiner.

"I can use my money for my private use," shot back The Bronx peace officer. "I don't know as you have any right to ask any questions of me, or tell me how I should spend my money."

"I have a right to be interested in finding if you divided up any of this with politicians."

"And I am telling you I did not. But I cannot tell now what I did with all that money."

"But your check book that you dropped into the waste basket November 1 would show," asked the examiner, indignantly.

Defends Dummy Method.

"That is not the only check book that I dropped in. All my check books I drop in when I am through with them," declared the witness, with an angry scowl.

"If this bus business is an honest, legitimate transaction, why do you hide your interest in it behind a dummy?"

"No reason at all. I just didn't care to put my name to it; that is all."

"Why not, if the business was legitimate?"

"Well, for the reason a man who is in politics is criticized for almost everything he does, and I felt that for that reason I would like my name left out and to put somebody in there to represent me."

"Did it occur to you that you would be criticized for taking money for obtaining a permit from the Department of Plant and Structures, was that it?"

"No, I knew it was a legitimate business. I just didn't care to have my name mentioned."

Mr. Shearn excused the witness temporarily with the comment, "That will do for the present, until I get your checks."

Efforts on the part of the examiner to uncover more of the secrets of what he called "the O'Neil-Murphy bus corporation" by calling to the witness

Opera Prodigy



Central News Photo.
Marion Talley.

chair William A. Keating, counsel to the Sheriff of Bronx county, who had acted as attorney in the formation of the corporation, were blocked by the young lawyer's refusal to testify. Mr. Keating admitted that he had prepared the certificate of incorporation for the West Farms Bus Corporation last December and that he was at that time Sheriff's counsel.

In excusing Mr. Keating "until further subpoena" Mr. Shearn remarked to the commission: "I won't press anything further at this time. There is in my opinion no possible claim of privilege involved in the questions I have put to him, but Mr. Keating's opinion is just as good as mine on that, of course, and as long as he stands on it I will excuse him for the present."

Leo Shlavone of 769 East 20th street, The Bronx, a chauffeur and mechanic, testified that in partnership with his father, Joseph, and his two brothers, he had obtained early in the winter of 1921 a permit to operate a bus line between the Pelham Bay Park subway station and City Island. In obtaining the permit from Commissioner Whalen his interlocutor had been John Kneiwitz, a Republican district leader in The Bronx.

The Shlavones, the witness testified, invested in new buses and other expenses to an aggregate of about \$45,000, borrowing \$10,000 on notes they had given to pay for three additional buses to be added to their equipment. They ran until April, 1922, doing a profitable business through the summer months, and no complaints had been entered against their efficiency of service. On April 13 last the witness was served with an official notice bearing Commissioner Whalen's signature, and informing the witness and his father and brothers that their permit was hereby revoked, effective April 14, 1922, at midnight. The notice was served at about 9 o'clock on the evening of April 13.

Shlavone said, "by two men and a chauffeur who came up in a Cole eight sedan" and inquired for Shlavone.

"You say it was a Cole eight?" asked Mr. Shearn. "Was that the Commissioner's private car?"

"I don't know about that, but it was a Cole eight sedan."

Shlavone said that after the revocation of their permit they had again consulted "Johnny" Kneiwitz, who went down "to see what could be done."

"Did Mr. Kneiwitz make a report to you after he came back from the Commissioner?"

"He did, yes, sir; he simply told me that the organization had demanded the fine."

"And did somebody else get the fine immediately?"

"Yes, sir, Richard Morrison; he came there just a little after 12 o'clock."

"Here we have two perfect examples of this revocable permit system," commented Mr. Shearn, addressing the commission, "one, the O'Neil case, where a politician who is strong enough to get the permit is able to hold the man up for \$12,000 in six months for the privilege and in order to keep the privilege good and see that it is not revoked. And here you have a case of another concern with an investment of \$45,000 in the business, having carried on the business successfully, cut off over night without notice and without a hearing, because the organization demanded the fine."

The investigation will be resumed next Tuesday afternoon.

TEACHERS BESIEGING GIRL OPERA PRODIGY

Kansas City Soprano Finds Herself Victim of Fame Overnight.

PLANS STUDY HERE

Marion Talley Confident She Will Not Grow Impatient at Wait.

THANKFUL TO FRIENDS

Child Discovered in Church Choir Hopes to Be on Stage When She Is 18.

Miss Marion Talley, the vocal prodigy who came from Kansas City to knock at the door of fame as typified by the Metropolitan Opera House, found herself yesterday the victim of celebrity.

Into the Great Northern Hotel, where she is a guest with her parents, C. M. Talley, telegraph operator in Kansas City for the Missouri Pacific Railroad, and Mrs. Talley, walked at breakfast time a dozen of interviewers and eight photographers, two with motion picture machines.

In the girl's mail came offers from solicitous teachers of voice, all anxious to see that the fifteen-year-old singer with a mature soprano voice of great beauty advance properly through two or three intervening years of hard study to the inevitable career in grand opera and concert.

First Sang in Choir.

Another thing was typical of her youth. She said, "I want to thank all my kind friends for what they have done for me and for what they have done to help me, but father, mother, my sister Florence and I do not live in a separate flat." That item in the biography of Miss Talley had its source in Kansas City and it was explained away by Mrs. George E. Powell, the music editor of the Kansas City Star, who has watched over the girl for a year. "You see," said Mrs. Powell, "the apartment house in which Mr. and Mrs. Talley and their family live is built on one of Kansas City's side hills. You get the idea."

Marion Talley's story about herself is that of any girl of her age brought up in a family of moderate circumstances, with social life radiating about the public school and the church, which in their family is a Campbellite church the First Christian Church of Kansas City. It was in the choir that this girl's voice was found by her friends when she was 10 years old. Even then her voice was not in the least childish sounding to her young friends. It was almost uncanny in its maturity.

Marion is a well proportioned girl, tall for her age. She has a large oval face, an unusually high forehead and straight eyebrows under which sparkle large blue eyes. She is much more than pretty.

"I am really more than 15 years old," she said. "I will be 16 in December. I hope to be able to appear in opera when I am 18, but I am not going to be impatient. I won't mind if I have to wait another year. Even then I will make my debut at an age younger than Miss Geraldine Farrar, who was, I believe, 22 when she first sang in opera, and I know Miss Gail-Curtis, for whom I sang last summer in Kansas City, said she thought I might develop into a dramatic soprano. You cannot tell, although."

Grateful to Friends.

She will study in New York. When she was asked for the range of her voice she was quick to reply: "I should say from middle C to F sharp above high C." She wants to become a coloratura soprano, "but," she added, "Miss Gail-Curtis, for whom I sang last summer in Kansas City, said she thought I might develop into a dramatic soprano. You cannot tell, although."

though my voice has, I am told, been properly placed."

It was said without boastfulness, but with typical girlish naivete. She could not remember when she first began to sing. "I guess I've always sung. You see," she went on, "I would rather sing than play. I never was much good at the games the other girls played and I seemed to know music just naturally. I learned to play the violin and the piano. I didn't suppose my voice was out of the ordinary until I began to sing in church and in some of our church societies in Kansas City. Two kind friends in Kansas City gave me vocal lessons and I never can thank them enough."

Creates Great Wonder.

"You must know all about John R. Jones," said Mr. Talley. "He's the man who did so much for community singing during war days. He saw the great possibilities in Marion's voice and did wonders for her, but he had to give up the lessons when he got into war service. Then Mr. Cranston, who has done more for music in Kansas City than any other of our men there, continued her lessons."

It was Miss Talley's appearances with the Kansas City Grand Opera Company last summer at its annual performances in the Shubert Theater in that city that brought about the young singer's "audition" in the Metropolitan Opera House on Wednesday afternoon. It was the thirteenth annual season of the local company directed by Mr. Cranston. The opening performance was "Mignon" on May 21 with Mrs. Allen Taylor, wife of a prominent Kansas City merchant, in the title part. At the Wednesday night performance of "Bohemia" "Girl" Miss Talley was the Arline. On Friday night she was called upon to take over the role of Mignon and did so with only a piano rehearsal. She sang through the performance without missing a note and with a dramatic insight that created almost as much wonder as did the quality and range of her voice.

Then came the public movement among the music lovers of Kansas City that culminated in her "audition" at the Metropolitan Opera House, as described in The New York Herald yesterday. It took three songs and twenty minutes to solve the girl's musical future.

Was she afraid to appear before such an august body of music judges? "Oh, no," was her reply. "Why not?" "Well," she replied, "I just wasn't. Only just a little nervous." "What did they say to you afterward?" "Why, they just talked and were so pleasant."

In reality the Metropolitan's audition court told the girl she was marvelously gifted, but should give herself up to study for a few years without any thought of appearing in concert or opera within that time.

Mr. Talley will go back to his job in Kansas City as soon as he finds his wife and daughter a flat here. They and their advisers will take their time in finding the vocal teacher.

Import Duties to Exceed Record by \$100,000,000

WASHINGTON, Nov. 9 (Associated Press).—A Federal revenue of approximately \$445,000,000 this fiscal year from import taxes, or about \$100,000,000 more than ever before in the nation's history, was forecast to-day by customs officials. This is on the basis of returns under the new tariff act for a month and a half of its operation and the almost unprecedented income which immediately preceded the enactment of the Fordney-McCumber statute, when there were heavy withdrawals from bonded warehouses and a rush of imports so as to avoid the higher duties carried in the new law. The actual revenue for the first month of the operation of the protective measure was \$40,828,264, or at the rate of nearly \$500,000,000 a year.

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These two "kind friends," the singer's father explained, were John R. Jones, a Welsh born American music teacher known to every music lover west of the Mississippi, and to a great many others in the East, and Otley Cranston, who thirteen years ago brought into being the Kansas City Grand Opera Company, which last summer wrote a very important chapter into the career of Marion Talley.

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17 CONFESS TO BOTTLES AND OBTAIN LOW FINES

Court Says Law Is on Books and Must Be Enforced.

Fines ranging from \$5 to \$25 were imposed on seventeen of fifty persons arraigned yesterday before Judge Rosalsky in General Sessions on indictments charging violation of the Mullian-Gage law.

All seventeen pleaded guilty when Judge Rosalsky announced that the fines would be within the \$5-\$25 limits if no evidence justified the suspicion that the liquor was in their possession for sale. A great many people of this community think the law had lapsed," said Judge Rosalsky, "but since it is on the statute books it must be enforced."

Mediterranean WINTER VOYAGES DE LUXE

In winter the sunny lands of history and romance that edge the Mediterranean make an imperative call upon the imagination. Egypt with its pyramids, its caravans, its crowded bazaars; the Holy Land, easy of access; Athens, classic in history; the southern coast of Europe, famous ports lying at the edge of a magic blue sea, flower and vine-clad hills, medieval fortresses; the oriental enchantment of Algiers; changing scenes and sounds at Monte Carlo, color, action, sentiment, warm and pulsing life in the winter playgrounds of the world!

For discriminating travelers the White Star Line and Red Star Line announce the following sailings:

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"A man that'd ixpict to thrain lobsters to fly in a year is called a lunatic; but a man that thinks men can be tur-rned into angels be an illicion is called a rayformer and remains at large!"

—Says MR. DOOLEY

"MR. DOOLEY"

All Hands to the Hearthstone!

THE only heartening phase of the coal shortage is that it will encourage the enjoyment of log fires. The chilly evenings of fall and the downright icy evenings of winter will see the family gathered about the hearthstone. Of course, Ovington's can not deliver the wood for the blaze, but they can help by providing some good-looking and distinctive andirons to hold up the logs and make the blaze more cheery, and by providing such interesting fire sets as the one shown herewith. Andirons cost from \$12 to \$60 a pair and fire sets from \$15 to \$50.

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